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RUEHLO/AMEMBASSY LONDON PRIORITY 5411
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 3749
RUEHNY/AMEMBASSY OSLO PRIORITY 5336
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0197
RUEHMD/AMEMBASSY MADRID PRIORITY 0151
RUEHKO/AMEMBASSY TOKYO PRIORITY 4458
RUEHCG/AMCONSUL CHENNAI PRIORITY 9897
RUEHBI/AMCONSUL MUMBAI PRIORITY 7184
RUEHON/AMCONSUL TORONTO PRIORITY 0192
RHEFDIA/DIA WASHINGTON DC PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 0039
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000065

SIPDIS

DEPARTMENT FOR SCA/INSB

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Classified By: AMBASSADOR PATRICIA A. BUTENIS. REASONS: 1.4 (B, D)

ELECTIONS COMMISSIONER
CONFIRMS RAJAPAKSA'S VICTORY

[1](#)1. (C) (Rel to UK, CAN, AUS, SWITZ.) Despite earlier confusion, Elections Commissioner Dissanayake confirmed in a meeting with PolOff on January 28 that he had indeed certified President Rajapaksa's victory in the January 26 presidential election. He said the official gazette notification was being printed and would be released to the media later in the afternoon on January 28. The confusion had arisen late on January 27 when he had not stated in his results-announcement speech that he was certifying the final results being listed on the Elections Commissioner's website. In that speech, he cited a number of problems he had faced

during the campaign and on election day itself. In the later meeting with PolOff, he reiterated those complaints but clearly stated that the voting had been "free and fair." Upon this personal confirmation, Post issued a public statement congratulating the people of Sri Lanka on their first post-war election and Rajapaksa on his victory. Post noted the claims of elections law violations and urged that they be dealt with according to Sri Lankan law, and that the government ensure the safety of all candidates and election workers. The full statement is on the embassy website.

RESULTS SHOW REMARKABLE
WIN FOR RAJAPAKSA

12. (C) (Rel to UK, CAN, AUS, SWITZ.) Rajapaksa's wide margin of victory (18 percent) was not predicted by anyone except a few hard-core Rajapaksa supporters and defied both the president's own internal polling figures and those of the opposition, all of which showed the race as neck-and-neck just a few days before the balloting (ref H). Rajapaksa's margin also was unprecedented in Sri Lanka apart from the election of Chandrika Kumaratunge in 1994 under extraordinary circumstances. Chandrika won by 26 percent in tumultuous times after the incumbent president had been assassinated in 1993 two weeks before the election and was replaced by his wife as a last-ditch candidate. Chandrika was re-elected by eight percentage points in 1999. Most recently, Rajapaksa won over UNP candidate Ranil Wickremesinghe by less than two percentage points in 2005.

13. (C) (Rel to UK, CAN, AUS, SWITZ.) Rajapaksa's numbers hovered fairly consistently around 60 percent in each

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district, except Colombo, Kandy and Badulla where he won with 53 to 54 percent, and the Northern and Eastern Provinces where Fonseka won with strong support. Rajapaksa exceeded expectations in some normally UNP strongholds. In Colombo, despite recent buzz about Fonseka and the UNP's 51-percent win in 2005, Rajapaksa carried the vote with 53 percent. He also did unusually well in the Central Province. In Kandy, the fourth largest voter pool nationwide, Rajapaksa won 54 percent of votes, having lost with 44 percent in 2005. In Matale, he won with 60 percent, up from 48 percent in 2005. Nuwara-Eliya remained loyal to the opposition, but less so than in 2005)- Rajapaksa collected 43 percent of the vote compared to just 28 percent previously. Rajapaksa also did surprisingly well in the North-West Province. In Puttalam, he garnered 59 percent compared to 48 percent in 2005. He increased his support in Karunegala from 52 percent in 2005 to 63 percent in 2010. Matale and Karunegala were two of the locations cited by the Center for Monitoring Election Violence (CMEV) as having had disruptions of the counting process. The other districts flagged by CMEV, Anuradhapura and Polonnaruwa, also went to Rajapaksa.

PROCESS IN NORTH BETTER THAN
IN PAST BUT FAR FROM PERFECT

14. (C) (Rel to UK, CAN, AUS, SWITZ.) As expected, Fonseka carried the Eastern and Northern Provinces but by smaller margins than the UNP had in 2005. Voter turnout in Jaffna (26 percent) was significantly less than the 74 percent nationwide average but a marked improvement from the one percent who cast ballots during the conflict in 2005. In the Vanni, 40 percent voted, up from 34 percent in 2005. Turnout was particularly low (14 percent) in Mullaitivu where transport was largely unavailable. Internally displaced persons who voted through special procedures strongly supported Fonseka. Many IDPs who relied on government transportation to polling booths were reportedly unable to vote due to a lack of buses (ref B).

OPPOSITION SAYS IT WILL MOUNT

15. (C) (Rel to UK, CAN, AUS, SWITZ.) Shortly after the Election Commissioner's announcement of the final results, the opposition declared it did not accept them and would mount a legal challenge. On the evening of the announcement, January 27, the opposition leaders were distracted by the developing standoff between Fonseka and government troops stationed outside his hotel (see paragraph below). By the morning of January 28 the opposition was still deciding what its next steps would be. UNP leader Ranil Wickremesinghe told PolOff the opposition leaders would be meeting later in the day to decide their course of action, but he admitted to PolOff that the legal challenge option would take a month just to prepare and would then be subject to decision by a Supreme Court seen by many as friendly to President Rajapaksa. Ranil already seemed to be moving on to the parliamentary elections as he spoke. We have had little contact with the usually stand-offish JVP, the other main member of the Fonseka coalition, so it is unclear what they are thinking next steps should be.

FONSEKA STILL FOCUSED ON
HIS SECURITY

16. (C) (Rel to UK, CAN, AUS, SWITZ.) General Fonseka spent most of January 27 holed up in the Cinnamon Lakeside hotel with members of his family, his advisors, and key opposition

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officials, while the government kept the hotel surrounded by hundreds of armed troops and police. Fonseka claimed he was not being allowed to leave and feared he would either be arrested or assassinated. The government gave conflicting stories on why the troops were deployed there, alternately citing concerns for Fonseka's safety, concerns he would stage a coup, or the need to hunt down insurgents and military deserters in the hotel (and presumably part of Fonseka's personally-hired security detail of 30, described by opposition leaders as retired Army officers). As the evening progressed, the government began ordering Fonseka's government-provided security detail of 65 personnel to withdraw, ostensibly because he was no longer a candidate and therefore no longer was entitled to protection at government expense. Fonseka began appealing for international assistance, including safe harbor in a neighboring country. There were reports swirling that he was asking for safe harbor at the U.S. Embassy, or guarantees of safe passage to the U.S., but neither Fonseka nor his coalition partners asked Embassy directly for such assistance.

17. (C) (Rel to UK, CAN, AUS, SWITZ.) Foreign Minister Bogollagama summoned the diplomatic corps for a 6:00 PM meeting on January 27, where he saluted the service of the Elections Commissioner, cited the Centre for Monitoring of Election Violence's (CMEV) allegedly "incident-free" characterization of the voting process (with no mention of the later CMEV letter citing irregularities) and appealed that Fonseka's situation not be allowed to tarnish the election. The Foreign Minister was then challenged robustly but politely by the diplomatic corps, beginning with Ambassador Butenis, on Fonseka's situation and the government's response. By late evening, Fonseka appeared to have worked out a deal with the government and left the hotel with his family and some of his remaining security, traveling to his home.

18. (C) (Rel to UK, CAN, AUS, SWITZ.) Fonseka spoke several times with the Ambassador on the evening of January 27, expressing deep concerns about his personal security, noting his government-provided security detail was to end at midnight. The Ambassador attempted to contact Defense Secretary Gotabhaya Rajapaksa to urge the detail be extended, but could not reach him. Fonseka also called the State

Department Operations Center twice, trying to reach the Secretary on the same subject. On January 28, Ranil Wickremesinghe told PolOff that President Rajapaksa had informed him that morning that Fonseka would be provided with security at the level of a former Army Commander. Also on January 28, Minister GL Pereis told the Ambassador that a 65-person detail had been provided to Fonseka by Supreme Court order as long as he was a candidate.

¶9. (C) (Rel to UK, CAN, AUS, SWITZ.) Later on January 28, Fonseka's assistant asked for a meeting at the Embassy, where she explained to PolOff that Fonseka was still at his home but had no security personnel at all. She reported that over a dozen armed men with ski masks on motorbikes were stationed outside of the house and said Fonseka was requesting that foreign governments again raise the issue of his security with the government. She said he would only try to leave the country if he did not have any security. When PolOff reconnoitered Fonseka's house, he saw three men with ski masks in fatigues hanging around, but it was unclear whether they might have been part of any smaller security contingent promised by President Rajapaksa. (When the Ambassador spoke with Fonseka this morning, he said that while his detail was gone, there were soldiers deployed on his street, which he viewed as a threat.)

¶10. (C) (Rel to UK, CAN, AUS, SWITZ.) Fonseka told the

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Ambassador that he wanted to travel to Singapore with his family, but that the government had placed him on a blacklist banning him from international travel, and that he understood his family was also on the list. Fonseka said that if he were to get to Singapore, he planned to stay there for awhile to assess the situation, while his family was likely to travel on to the United States. The Ambassador raised the issue of Fonseka's travel with Pereis, who said that Fonseka would not have immunity from criminal prosecution if he faced any formal charges, noting that he had no knowledge of any such charges.

ELECTIONS COMMISSIONER RETIRES,
COMPLICATES PARLIAMENTARY POLLS

¶11. (C) (Rel to UK, CAN, AUS, SWITZ.) While speaking to PolOff on January 28, the Elections Commissioner confirmed that he would retire effective on January 29, and would not show up for work on February 1. As in his formal speech a day earlier, he cited tremendous pressure from all sides in this presidential election and the inability of his office to obtain compliance with elections rules by the candidates and their campaigns, particularly on the government side. He also stated that his retirement would precipitate a constitutional crisis, because no election could be held without an Elections Commissioner, and no replacement Elections Commissioner could be named without implementing the 17th amendment to the Constitution.

¶12. (C) (Rel to UK, CAN, AUS, SWITZ.) There are reports that the president plans to dissolve parliament very soon and call for general elections. While the term of the current parliament ends in April, some observers had thought Rajapaksa might try to avoid holding a general election by extending the current parliament's term through a referendum or some other means. Other reports were claiming that the president likely would delay taking the oath of office for his second term to enable him to complete more of his first term and extend his total time in office.

NEXT STEPS FOR RAJAPAKSA

¶13. (C) (Rel to UK, CAN, AUS, SWITZ.) It is too early to tell what direction the reinvigorated Rajapaksa regime will take. The major issues facing him include economic

development and the closely related issue of the possible removal of GSP-plus preferential trade tariffs, political reconciliation with ethnic Tamils, and the question of accountability for past human rights violations. Discussion among the political class of Colombo, and the opposition in particular, on what Rajapaksa will do next has not yet gotten into full swing. One of his inner circle told the Ambassador that with a parliamentary majority of his own (and not from a coalition), Rajapaksa would have the freedom to pursue reconciliation and reform, initiatives his reliance on nationalistic allies would have stymied. We are likely to see more in-depth analysis by both sides on what the results of the election mean over the next several days. Post will continue to monitor these discussions and report our views on the likely way ahead.

BUTENIS